

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH TYLER LITTLEFIELD,

Plaintiff,

V.

CHERYL STRANGE, *et al.*,

Defendants.

Case No. C23-790-JHC

ORDER DENYING PLAINTIFF'S
APPLICATION TO PROCEED *IN FORMA
PAUPERIS* AND DIRECTING PLAINTIFF
TO PAY FILING FEE

The Court, having reviewed Plaintiff's proposed amended complaint (Dkt. # 5-1), the

Report and Recommendation (R&R) of the Honorable S. Kate Vaughan, United States

Magistrate Judge (Dkt. # 10), Plaintiff's objection thereto (Dkt. 15), and the remaining record,

hereby ORDERS:

(1) The Court has reviewed this matter de novo. The R&R correctly determines that the proposed amended complaint (Dkt. # 5-1) does not allege that Plaintiff was “under imminent danger of serious physical injury” at the time of its filing. The objection fails to explain persuasively how the proposed amended complaint meets this standard.

ORDER DENYING PLAINTIFF'S APPLICATION
TO PROCEED *IN FORMA PAUPERIS* - 1

(2) Also, the objection says that the R&R is “moot” because “Plaintiff has submitted an amended, supplemental complaint.” But Plaintiff’s motion for leave to file that pleading is currently pending. *See generally* Docket.

(3) Given the foregoing, the Court APPROVES and ADOPTS the R&R.

(4) Plaintiff's application to proceed with this action *in forma pauperis* (Dkt. 5) is DENIED.

(5) Plaintiff is directed to pay the \$402 filing fee within **thirty (30) days** of the date on which this Order is signed. Failure to timely submit the requisite filing fee will result in immediate termination of this action.

(6) The Clerk is directed to send copies of this Order to Plaintiff and to the Honorable S. Kate Vaughan.

DATED this 15th day of September, 2023.

John H. Chun
JOHN H. CHUN
United States District Judge